

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

LAVERT ROBERSON, Jr. ID # 890786,)	
Petitioner,)	
vs.)	No. 3:14-CV-4256-L (BH)
)	
WILLIAM STEPHENS, Director,)	
Texas Department of Criminal)	
Justice, Correctional Institutions Division,)	
Respondent.)	

RECOMMENDATION REGARDING CERTIFICATE OF APPEALABILITY

A Notice of Appeal has been filed in the above captioned action, now accompanied by a *Application for Certificate of Appealability*, received on January 5, 2014. (doc. 9.) Pursuant to Fed. R. App. P. 22(b) and 28 U.S.C. § 2253(c), it is recommended that

COA:

- ☐ a Certificate of Appealability be GRANTED. (See issues set forth below).
☒ a Certificate of Appealability be DENIED. (See reasons stated below).

REASONS FOR DENIAL: For the reasons stated in the Findings, Conclusions and Recommendation of the United States Magistrate Judge, filed on **December 5, 2014**, the petitioner has failed to show that reasonable jurists would find it debatable whether the Court was correct in recommending transfer of this action to the court of appeals. *See Miller-El v. Cockrell*, 537 U.S. 322, 338 (2003); *Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000); 28 U.S.C. § 2253(c)(2).

DATED this 6th day of January, 2015.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE